

# EXHIBIT “A”

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March 25, 2019

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<sup>\*</sup> also admitted in other state(s)

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Mr. Greg Middlebrooks  
Progressive Insurance Company  
3050 Shackleford Road  
Suite 500  
Duluth, GA 30096

RECEIVED  
MAR 26 2020  
Progressive Insurance Company  
DULUTH

RE: Helene Julien v. Brandon Donald  
Our Client: Helene Julien  
Your Insured: Mobile Maintenance  
Your Claim No.: 185265963  
Date of Injury: October 15, 2018

Dear Mr. Middlebrooks:

As you are aware, this office represents Helene Julien for injuries she sustained in a motor vehicle accident caused by Brandon Donald.

On the evening of October 15, 2018, Ms. Julien was crossing Pleasant Hill Road at the intersection of Crestwood Parkway.

She was standing in the median area between the two lanes of traffic on Pleasant Hill Road when Brandon Donald, who was traveling at a high rate of speed through the intersection and driving without headlights on at approximately 10:51 p.m., went into the median area and struck Ms. Julien.

The fact that Mr. Brandon was speeding through the intersection without head lights on and after the accident tried to leave the scene was confirmed by witnesses at the scene.

See attached accident report marked Exhibit "1".

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Helene Julien occurred the following expenses at a direct result of this motor vehicle accident:

<u>Medical Provider</u>	<u>Exhibit</u>	<u>Amount Incurred</u>
Gwinnett County EMS	2	\$1,101.00
Gwinnett Hospital System	3	\$139,817.00
Gwinnett ER Physician	4	\$2,576.00
North Metro Radiology	5	\$2,533.00
Gwinnett Anesthesia	6	\$7,557.50
Houston Clinic	7	\$21,400.00
Eastside Heart & Vascular	8	\$1,568.00
Resurgens Orthopedics	9	\$6,475.05
Tender Loving Care	10	\$9,086.70
Preventice Services	11	\$1,495.00
Benchmark	12	\$436.54
Lawrenceville Surgery Center	13	\$6,862.00
Sovereign Rehab	14	<u>\$3,359.00</u>
<b>TOTAL AMOUNT OF MEDICAL BILLS</b>		<b>\$204,266.79</b>

Immediately following this accident, Ms. Julien was transported by ambulance to the Gwinnett Hospital emergency room.

Upon examination by the emergency room physician, as well as review of the diagnostic testing, it was noted that Ms. Julien was **suffering from an injury which included, but was not limited to, a displaced tri-malleolar fracture of the right lower leg.**

On October 19, 2019, Ms. Julien underwent an operative procedure.

**The pre-operative and post-operative diagnosis were: Right knee ACL, PCL, MCL rupture.**

**The operative procedure performed was: Right knee open MCL reconstruction repair.**

For a detailed account of Ms. Julien's treatment and the operative procedures performed at the Gwinnett Hospital System, see attached report marked Exhibit "2".

Following her surgical procedures, Ms. Julien underwent extensive treatment and physical therapy.

She also had additional operative procedures which included another right knee procedure.

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**The pre-operative and post-operative diagnosis were: Right knee arthrofibrosis.**

**The operative procedure performed was: Right knee manipulation under anesthesia.**

For a detailed account of Ms. Julien's treatment with Resurgens Orthopedics see attached report marked Exhibit "9".

Brandon Donald carried automobile insurance with USAA Insurance Company with policy limits of \$25,000 per person and \$50,000 per accident. USAA has offered their per person policy limit of \$25,000 to Ms. Julien under a limited liability release. See attached USAA declaration page and limited liability release.

In light of the pain and suffering which Ms. Julien has endured and will continue to endure for the rest of her life, for settlement purposes only, we hereby offer to compromise her claim for the available uninsured/underinsured motorist policy limit of ONE MILLION DOLLARS (\$1,000,000), plus any other coverage that may be available.

Pursuant to O.C.G.A. § 33-7-11 and on behalf of Helene Julien, we are providing a reasonable opportunity to settle this claim for Ms. Julien's uninsured/underinsured motorist policy limit of \$1,000,000 within sixty (60) days from your receipt of this offer. The 60-day period shall be conclusively established by the date this offer is received by you as evidenced on the certified mail return-receipt provided by the U.S. Postal Service.

O.C.G.A. § 33-7-11 (j) provides in part:

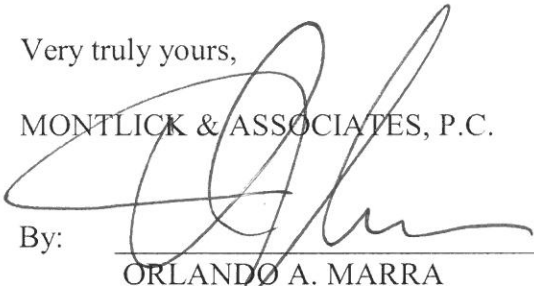
If the insurer shall refuse to pay any insured's loss covered by this code section within sixty (60) days after demand has been made by the insured and a finding has been made that such refusal was made in bad faith, the insurer shall be liable to the insured in addition to any recover under the code section for not more than 25% of recovery and all reasonable attorney fees in the prosecution of the case under this code section.

This letter is written in the spirit of compromise and settlement. All the enclosed materials shall remain the property of our client and shall be returned to her upon request.

Very truly yours,

MONTLICK & ASSOCIATES, P.C.

By:

  
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ORLANDO A. MARRA  
Attorney at Law

LTR\_026:659568:ndlsdb  
Enclosures